

APR 16 2004

OFFICIAL

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on April 16, 2004.

Sandra Stocklinski

Name (Print)

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/689,279
Applicant : KOSOLA et al.
Filed : October 12, 2000
TC/A.U. : 1724
Examiner : Robert J. POPOVICS

Confirmation No.: 7791

Attorney Docket No. : 5070-006
Customer No.: 35411

Mail Stop Non-Fee Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO NOTICE
OF NON-COMPLIANT AMENDMENT**

Sir:

This Response is in reply to the Notice of Non-Compliant Amendment mailed April 1, 2004, for which the Examiner has set a one-month period for response, thus making a response due on or before May 1, 2004.

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 11 of this paper.

APR 16 2004

LAW OFFICES

KILYK & BOWERSOX, P.L.L.C.

Intellectual Property Law

OFFICIAL

LUKE A. KILYK* (PA, DC)
LEONARD D. BOWERSOX
ARASH BEHRAVESH* (MA)
JASBIR SINGH
MATTHEW T. GILL

3603-E Chain Bridge Road
FAIRFAX, VA 22030

WARRENTON OFFICE
53 A East Lee Street
Warrenton, Virginia 20186

Of Counsel:
WILLIAM CHARLES JAMISON
SAMUEL P. BURKHOLDER* (PA, DC, NJ)

TEL.: (703) 385-9688
FAC.: (703) 385-9719
(703) 385-9747

Email: lbowersox@kbpatentlaw.com
Website: http://www.kbpatentlaw.com

*Admitted only in states indicated

PLEASE DIRECT CORRESPONDENCE TO OUR FAIRFAX OFFICE

FACSIMILE TRANSMISSION COVERSHEET

DATE: April 16, 2004
TO: Examiner Robert J. POPOVICS
Group Art Unit 1724
Mail Stop Non-Fee Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450
RE: U.S. Patent Application No. 09/689,279
Filed: October 12, 2000
Confirmation No.: 7791
Attorney Docket No.: 5070-006
FROM: Leonard D. Bowersox
FAC. NO.: (703) 872-9306

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 13

Items Attached: Transmittal Form 1 Page
Amendment and Response to Notice of Non-Compliant Amendment 11 Pages

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on April 16, 2004.

Sandra Stocklinski

Printed Name:

Signature

THE INFORMATION CONTAINED IN THIS MESSAGE IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. This message may also be an attorney/client communication which is privileged and confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by calling us collect and return the original message to us at the above address by mail. Thank you.

Please type a plus sign (+) inside this box



PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/689,279	
		Filing Date	October 12, 2000	
		First Named Inventor	Antti KOSOLA	
		Group Art Unit	1724	
		Examiner Name	Robert J. POPOVICS	
Total Number of Pages in This Submission		13	Attorney Docket Number	5070-008
ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> After Allowance Communication to Group		
		<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Acknowledgement Postcard <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Transmission Cover Page Customer No. 35411		
		Remarks	Reply is an Amendment and Response to Notice of Non-Compliant Amendment	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT				
Firm or Individual name		Leonard D. Bowersox		
Signature				
Date		April 16, 2004		
CERTIFICATE OF MAILING				
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on April 16, 2004.				
Type or printed name		Sandra Stocklinski		
Signature			Date	
			April 16, 2004	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.